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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/879,698	06/12/2001	Srinivas Gutta	701613	3765

24737 7590 05/20/2004

PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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EXAMINER

LAI, ANNE VIET NGU

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 05/20/2004

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/879,698

Applicant(s)

GUTTA ET AL.

Examiner

Anne V. Lai

Art Unit

2636

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 April, 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1 The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2 Claims 1-3, 8, 10-14, 16 and 17-21 are rejected under 35 U.S.C. 102(e) as being anticipated by **Breed** [US. 2001/0038344].

Regarding claims 1-3, **Breed** (Figs. 1, 10, 15; Paragraph [0059], [0095], [0121], [0161], [0186], [0187], [0220]) discloses a system to detect, classify, identify and tracking an approaching vehicle including emergency vehicle (fire engine [0059]) from a secondary vehicle comprising:

at least one camera mounted on the secondary vehicle (five video cameras mounted at front, rear, top and two sides, 110-114 in Fig. 1, [0161], and 734, 736, 736 in fig. 15, [0225], [0227]) for scanning, capturing frame images and mapping location of the approaching vehicle on a display surface mounted inside the secondary vehicle;

each camera comprises on chip electronic pan/tilt and zoom control ([0186]-[0187]) for dynamic position tracking and providing enhanced view (high resolution [0121]) of the approaching vehicle (including the emergency vehicle [0059]); to control the pan/tilt and zoom of a camera, a motor connected to the camera is inherent.

Regarding claim 8, **Breed** ([0059], [0095], [0186], [0187]) discloses a detecting and tracking means for detecting and tracking an emergency vehicle (icon) displayed on the displayed surface using on chip control pan/tilt and zoom.

Regarding claim 10, **Breed** ([0059], [0095], [0186], [0187]) discloses classification/identification means to classify and identify the emergency vehicle; and tracking means using on chip control pan/tilt and zoom to track the identified emergency vehicle.

Regarding claims 11-13, **Breed** ([0059], [0095], [0186], [0187]) discloses means for alerting a user of the secondary vehicle that an emergency vehicle has been identified in the video image data by displaying icon representation of the emergency vehicle and orally annunciating the approaching of the emergency vehicle.

Regarding claims 14 and 17, **Breed** (Figs. 1, 10, 15; Paragraph [0059], [0095], [0121], [0161], [0186], [0187], [0220]) discloses a system to detect, classify, identify and tracking an approaching vehicle including emergency vehicle (fire engine [0059]) from a secondary vehicle using at least a camera, a display surface, a classification, an identification, and a tracking means.

Regarding claims 16 and 18, **Breed** ([0059], [0095], [0186], [0187]) discloses the operation of the tracking means is in connection with the on chip control pan/tilt and zoom to provide an enhanced view of the tracked vehicle (the emergency vehicle is included).

Regarding claims 19-21, **Breed** ([0059], [0095], [0186], [0187]) discloses means for alerting a user of the secondary vehicle that an emergency vehicle has been

identified in the video image data by displaying icon representation of the emergency vehicle and orally announcing the approaching of the emergency vehicle.

The applied reference has a common subject matter (vehicle detecting, classifying, identifying tracking and alerting) with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4-6, 9 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Breed** in view of **Lee** [US. 5,680,123].

Regarding claims 4-6, **Lee** (abstract and col. 5, line 2 through col. 6, line 6) teaches the use of plural cameras mounted on various location (sides, rear and front) of a vehicle to monitor approaching vehicles; images captured from cameras are displayed together as a picture-in-picture or a split screen format; selection means

including touch screen and on screen menu to provide selection of different viewing modes and functions; and the zoom function of the camera is controlled to provide an enhanced view (closer up view) of the selected display.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the display feature of **Lee** in **Breed** vehicle classifying and identification displaying system to provide an added feature and a convenient of use; one touch to a displayed icon representing an emergency vehicle would control the change of the viewing mode and zooming function, therefore enhancing the view of that particular selected vehicle.

5. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Breed** and **Lee** in view of **Strumolo** [US. 6,535,242].

Regarding claim 7, **Breed** and **Lee** camera system does not disclose input spoken command feature. **Strumolo** (abstract, and col. 5, lines 13-67) utilizes two pair of cameras mounted on a secondary vehicle to provide image recognition and identification of front approaching objects and vehicles. The control of the cameras comprises a speech recognition and command system for recognizing the spoken command by a user and for controlling at least one of the pan, tilt, and zoom motors of the cameras to enhance the resolution and imaging of remote objects.

Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to implement the voice command feature of **Strumolo** vehicle recognition and identification system in the **Breed** and **Lee** vehicle

classifying and identification system to provide an added feature and a convenient of use in controlling the tilt, pan and zoom of the selected cameras.

Response to Arguments

6. Applicant's arguments with respect to claims 1-21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Garcia discloses an alarm system responsive to presence of an emergency vehicle using transceiver and coded signal. [US. 2001/003844]

Sugimoto discloses a multi-functional on-vehicle camera system and image display method. [US. 6,593,960]

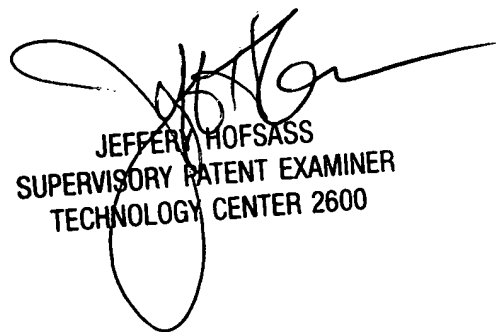
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne V. Lai whose telephone number is 703-305-7925. The examiner can normally be reached on 8:30 am to 6:00 pm, Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hofsass Jeffery can be reached on 703-305-4717. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A.V. Lai

May 6, 2004



JEFFERY HOFSSASS
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